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IFW

August 31, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop Amendment
Art Unit 1642

Re: U.S. Utility Patent Application
Application No. 10/762,492; Filed: January 23, 2004
For: **Rapid Growing Microorganisms for Biotechnology Applications**
Inventors: Bloom *et al.*
Our Ref: 0942.5490002/RWE/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Listing of the cited documents on Form PTO-1449 (12 sheets);
3. A copy of thirty-eight (38) of the cited documents on Form PTO-1449;
and
4. Return postcard.

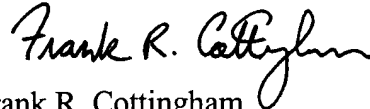
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
August 31, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

FRC/pcd
Encls.

305438v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Bloom *et al.*

Appl. No.: 10/762,492

Filed: January 23, 2004

For: **Rapid Growing Microorganisms
for Biotechnology Applications**

Confirmation No.: 4921

Art Unit: 1642

Examiner: To be assigned

Atty. Docket: 0942.5490002/RWE/FRC

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of U.S. patents and patent application publications cited on the attached form PTO-1449 are not provided in accordance with the U.S. Patent and Trademark Office notice of August 5, 2003 (1276 OG55). Copies of all other cited documents are provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

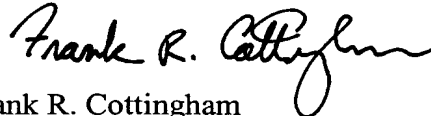
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required. 37 C.F.R. § 1.97(b).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

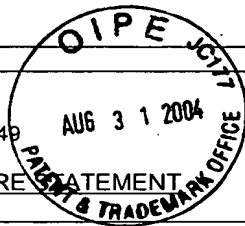
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Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

Date: AUG. 31, 2004

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
0942.5490002/RWE/FRCAPPLICATION NO.
10/762,492

INVENTORS

Bloom *et al.*FILING DATE
January 23, 2004ART UNIT
1642

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	4,966,841	10/30/1990	Riley			05/22/1987
	AB1	4,981,797	01/01/1991	Jessee <i>et al.</i>			11/4/1988
	AC1	5,334,575	08/02/1994	Noonan <i>et al.</i>			12/17/1992
	AD1	5,432,066	07/11/1995	Kern <i>et al.</i>			06/10/1994
	AE1	5,487,993	01/30/1996	Herrnstadt <i>et al.</i>			09/09/1993
	AF1	5,535,864	07/16/1996	Ishii <i>et al.</i>			08/12/1993
	AG1	5,658,770	08/19/1997	Prevots <i>et al.</i>			08/04/1994
	AH1	5,827,657	10/27/1998	Herrnstadt <i>et al.</i>			07/18/1996
	AI1	5,888,732	03/30/1999	Hartley <i>et al.</i>			06/07/1996
	AJ1	5,914,390	6/22/1999	Nathan <i>et al.</i>			05/12/1997
	AK1	6,071,733	06/06/2000	Muramatsu <i>et al.</i>			12/22/1998

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	EP 1 010 754 A1	06/21/2000	EP			Yes No
	AM1	WO 99/29837	06/17/1999	WIPO			Yes No
	AN1	WO 02/14495 A2	02/21/2002	WIPO			Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Alterthum, F., and Ingram, L.O., "Efficient Ethanol Production from Glucose, Lactose, and Xylose by Recombinant <i>Escherichia coli</i> ," <i>Appl. Environ. Microbiol.</i> 55:1943-1948, American Society for Microbiology (1989)
	AS	1	Bertani, G., and Weigle, J.J., "Host Controlled Variation in Bacterial Viruses," <i>J. Bacteriol.</i> 65:113-121, American Society for Microbiology (1953)
	AT	1	Bhandari, P., and Gowrishankar, J., "An <i>Escherichia coli</i> Host Strain Useful for Efficient Overproduction of Cloned Gene Products with NaCl as the Inducer," <i>J. Bacteriol.</i> 179:4403-4406, American Society for Microbiology (1997)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 - INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.5490002/RWE/FRC	APPLICATION NO. 10/762,492
	INVENTORS Bloom <i>et al.</i>	
	FILING DATE January 23, 2004	ART UNIT 1642

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	6,215,007	04/10/2001	Khosla <i>et al.</i>			03/05/1999
	AB2	6,277,608	08/21/2001	Hartley <i>et al.</i>			04/22/1999
	AC2	6,709,852	03/23/2004	Bloom <i>et al.</i>			06/22/2000
	AD2	2004/0053413	03/18/2004	Bloom <i>et al.</i>			11/12/2003
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FOREIGN PATENT DOCUMENTS

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>2</u>	Bharathi, A., and Polasa, H., "Elimination of broad-host range plasmid vectors in <i>Escherichia coli</i> by curing agents," <i>FEMS Microbiol. Lett.</i> 84:37-40, Elsevier Science Publishers (1991)
	AS	<u>2</u>	Braun-Breton, C. and Hofnung, M., "Explanations Accounting for Transduction by Bacteriophage λ in Maltose Negative Bacteriophage λ Resistant Mutants of <i>Escherichia coli</i> K-12," <i>Mol. Gen. Genet.</i> 159:143-149, Springer International (1978)
	AT	<u>2</u>	Carta, G.R. and Bryson, V., "Mutants of <i>Escherichia coli</i> Variably Resistant to Bacteriophage T1," <i>J. Bacteriol.</i> 92:1055-1061, American Society for Microbiology (1966)

EXAMINER	DATE CONSIDERED
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	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>3</u>	Coulton, J.W., "The Ferrichrome-Iron Receptor of <i>Escherichia coli</i> K-12: Antigenicity of the <i>fhuA</i> Protein," <i>Biochim. Biophys. Acta</i> 717:154-162, Elsevier Biomedical Press (1982)
	AS	<u>3</u>	Datsenko, K.A. and Wanner, B.L., "One-step Inactivation of Chromosomal Genes in <i>Escherichia coli</i> K-12 using PCR Products," <i>Proc. Natl. Acad. Sci. USA</i> 97:6640-6645, National Academy of Sciences (2000)
	AT	<u>3</u>	Dower, W.J., <i>et al.</i> , "High efficiency transformation of <i>E. coli</i> by high voltage electroporation," <i>Nucleic Acids Res.</i> 16:6127-6145, Oxford University Press (1988)

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	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>4</u>	Ellis H.M., <i>et al.</i> , "High efficiency mutagenesis, repair, and engineering of chromosomal DNA using single-stranded oligonucleotides," <i>Proc. Natl. Acad. Sci. USA</i> 98:6742-6746, National Academy of Sciences (2001)
	AS	<u>4</u>	Hall, B.G., "Adaptive mutations in <i>Escherichia coli</i> as a model for the multiple mutational origins of tumors," <i>Proc. Natl. Acad. Sci. USA</i> 92: 5669-5673, National Academy of Sciences (1995)
	AT	<u>4</u>	Hanahan, D., <i>et al.</i> , "Plasmid Transformation of <i>Escherichia coli</i> and Other Bacteria," <i>Methods Enzymol.</i> 204:63-113, Academic Press Inc. (1991)

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	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>5</u>	Hanahan, D., "Studies on Transformation of <i>Escherichia coli</i> with Plasmids," <i>J. Mol. Biol.</i> 166:557-580, Academic Press, Inc. (1983)
	AS	<u>5</u>	Jenkins, S.T., and Bennett P.M., "Effect of Mutations in Deoxyribonucleic Acid Repair Pathways on the Sensitivity of <i>Escherichia coli</i> K-12 Strains to Nitrofurantoin," <i>J. Bacteriol.</i> 125: 1214-1216, American Society for Microbiology (1976)
	AT	<u>5</u>	Khosla C., <i>et al.</i> , "Targeted gene replacements in a <i>Streptomyces</i> polyketide synthase gene cluster: role for the acyl carrier protein," <i>Mol. Microbiol.</i> 6:3237-3249, Blackwell Scientific Publications (1992)

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	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>6</u>	Kleckner, N. <i>et al.</i> , "Uses of Transposons with Emphasis on Tn10," <i>Methods Enzymol.</i> 204:139-180 Academic Press, Inc. (1991)
	AS	<u>6</u>	Link, A.J., <i>et al.</i> , "Methods for Generating Precise Deletions and Insertions in the Genome of Wild-Type <i>Escherichia coli</i> : Application to Open Reading Frame Characterization," <i>J. Bacteriol.</i> 179:6228-6237, American Society for Microbiology (1997)
	AT	<u>6</u>	Liu T., <i>et al.</i> , "The Transcriptional Switch of Bacteriophage WΦ, a P2-Related but Heteroimmune Coliphage," <i>J. Virol.</i> 73:9816-9826, American Society for Microbiology (1999)

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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>7</u>	Maloy, S.R., and Nunn, W.D., "Selection for Loss of Tetracycline Resistance by <i>Escherichia coli</i> ," <i>J. Bacteriol.</i> 145:1110-1112, American Society for Microbiology (1981)
	AS	<u>7</u>	Mori, T., <i>et al.</i> , "Circadian gating of cell division in cyanobacteria growing with average doubling times of less than 24 hours," <i>Proc. Natl. Acad. Sci. USA</i> 93: 10183-10188, National Academy of Sciences (1996)
	AT	<u>7</u>	Palazzolo, M.J., <i>et al.</i> , "Phage lambda cDNA cloning vectors for subtractive hybridization, fusion-protein synthesis and Cre-loxP automatic plasmid subcloning," <i>Gene</i> 88:25-36, Elsevier Science Publishers B.V. (1990)

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	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>8</u>	Picken, R.N., and Beacham, I.R., "Bacteriophage-resistant Mutants of <i>Escherichia coli</i> K12. Location of Receptors within the Lipopolysaccharide," <i>J.Gen. Microbiol.</i> 102:305-318, Cambridge University Press (1977)
	AS	<u>8</u>	Porter, T.D., <i>et al.</i> , " Expression of a Functional 78,000 Dalton Mammalian Flavoprotein, NADPH-Cytochrome P-450 Oxidoreductase, in <i>Escherichia coli</i> ," <i>Arch. Biochem. Biophys.</i> 254:353-367, Academic Press (1987)
	AT	<u>8</u>	Ronen A., and Zehavi, A., "Leakiness of Pleiotropic Maltose-negative, Bacteriophage λ -resistant Mutants of <i>Escherichia coli</i> K-12," <i>J. Bacteriol.</i> 99:784-790, American Society for Microbiology (1969)

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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>9</u>	Rosas, S.B., <i>et al.</i> , "Involvement of a Plasmid in <i>Escherichia coli</i> Envelope Alterations," <i>J. Bacteriol.</i> 155:402-406, American Society for Microbiology (1983)
	AS	<u>9</u>	Saito, H., and Richardson, C.C., "Genetic Analysis of Gene 1.2 of Bacteriophage T7: Isolation of a Mutant of <i>Escherichia coli</i> Unable to Support the Growth of T7 Gene 1.2 Mutants," <i>J. Virol.</i> 37:343-351, American Society for Microbiology (1981)
	AT	<u>9</u>	Sambrook J., <i>et al.</i> , "Bacterial Strain List," in <i>Molecular Cloning: A Laboratory Manual</i> , 2 nd Ed. Cold Spring Harbor Laboratory Press, Cold Spring Harbor, NY, pp. A.9-A.13 (1989)

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	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>10</u>	Skorupski, K., and Taylor, R.K., "Positive selection vectors for allelic exchange," <i>Gene</i> 169:47-52 Elsevier Science B.V. (1996)
	AS	<u>10</u>	Stacey, K.A., and Oliver P., "A Novel Pleiotropic Mutation in <i>Escherichia coli</i> k12 which Affects Transduction, Transformation and Rates of Mutation," <i>J. Gen. Microbiol</i> 98:569-578, Cambridge University Press (1977)
	AT	<u>10</u>	Sykora, P., <i>et al.</i> , "A Kinetic Model for Plasmid Curing," <i>Plasmid</i> 21:85-98, Academic Press, Inc. (1989)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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0942.5490002/RWE/FRCAPPLICATION NO.
10/762,492INVENTORS
Bloom *et al.*FILING DATE
January 23, 2004ART UNIT
1642INFORMATION DISCLOSURE STATEMENT**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
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FOREIGN PATENT DOCUMENTS

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

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	AR	<u>11</u>	Tolker-Nielsen, T., and Boe, L., "A Statistical Analysis of the Formation of Plasmid-Free Cells in Populations of <i>Escherichia coli</i> ," <i>J. Bacteriol.</i> 176:4306-4310, American Society for Microbiology (1994)
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	AT	<u>11</u>	Tucker, W.T., <i>et al.</i> , "Structural and Functional Analysis of the <i>par</i> Region of the pSC101 Plasmid," <i>Cell</i> 38:191-201, MIT Press, Cambridge (1984)

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	AR	<u>12</u>	Wolfson, J.S., <i>et al.</i> , "Antagonism of the B Submit of DNA Gyrase Eliminates Plasmids pBR322 and pMG110 from <i>Escherichia coli</i> ," <i>J. Bacteriol.</i> 152:338-344, American Society for Microbiology (1982)
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